

99-0-1575

(Do Not Write Above This Line)

AN ORDINANCE Z-99-51
BY: ZONING COMMITTEE

AN ORDINANCE TO REZONE FROM THE C-1 (COMMUNITY BUSINESS) DISTRICT TO THE RG-5 (RESIDENTIAL GENERAL-SECTOR 5) DISTRICT, PROPERTY LOCATED AT 3820 ROSWELL ROAD, N.E. FRONTING 205.74 FEET ON THE WEST SIDE OF ROSWELL ROAD BEGINNING 800.57 FEET SOUTH FROM THE SOUTHWEST CORNER OF LE BRUN ROAD. DEPTH: APPROXIMATELY 340 FEET; AREA: APPROXIMATELY 1.761 ACRES; LAND LOT 97, 17TH DISTRICT, FULTON COUNTY, GEORGIA.
OWNER: ATLANTA INTERCONTINENTAL, INC.

APPLICANT: CHASTAIN LOFTS OF BUCKHEAD LLC
BY: LARRY M. DINGLE, ESQ.
NPU-B COUNCIL DISTRICT 9

ADOPTED BY
FEB 21 2000
COUNCIL
Substitute
As Amended

- ☐ CONSENT REFER
- ☒ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER

Date Referred 9-21-99
Referred To: ZRB & Zoning

First Reading

Committee _____
Date _____
Chair _____

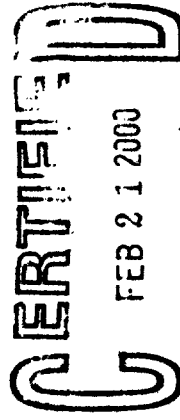
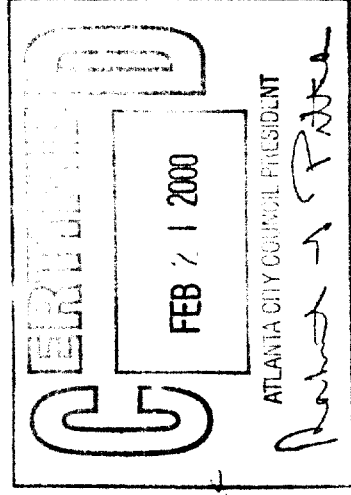
Committee	_____
Date	2-15-00
Chair	Donna Starnes
Action:	
Fav, Adv, Held (see rev. side)	
Other:	
Members	Donna Starnes, Chair
Refer To	Refer To

Committee	_____
Date	_____
Chair	_____
Action:	_____
Fav, Adv, Held (see rev. side)	_____
Other:	_____
Members	_____
Refer To	_____

COUNCIL ACTION

- ☒ 2nd
- ☐ 1st & 2nd
- ☐ 3rd
- ☐ Consent
- ☐ V Vote
- ☐ RC Vote

CERTIFIED



MAYOR'S ACTION

APPROVED

MAR - 1 2000
WITHOUT SIGNATURE
BY OPERATION OF LAW



CITY COUNCIL
ATLANTA, GEORGIA

99-0-1525

MUNICIPAL CLERK
ATLANTA, GEORGIA

Substitute Ordinance

BY: ZONING COMMITTEE

Z-99-51

1-13-00

As AMENDED by the ATLANTA CITY COUNCIL

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended and the maps established in connection therewith be changed so that the following property located at 3820 Roswell Road, N.E. be changed from the C-1 (Community Business) District to the RG-5-C (Residential General-Sector 5-Conditional) District, to wit:

All that tract or parcel of land lying and being in Land Lot 97 of the 17th District, Fulton County, Georgia, being more particularly described by the attached legal description.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development," as identified by the use of the suffix "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

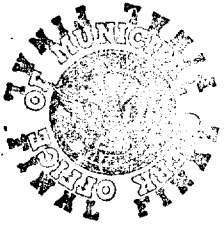
A true copy,

Rhonda Daughin Johnson
Municipal Clerk, CMC

ADOPTED as amended by Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

February 21, 2000

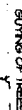
March 01, 2000



CITY COUNCIL
ATLANTA, GEORGIA

Conditions for Z-99-51

- (1) Site plan entitled "Planning Plan, Chastain Lofts, Atlanta, Georgia" by Aiken, Aiken, Beauchamp and Sheetz Architects, Inc., dated January 1, 2000 and marked received by the Bureau of Planning January 13, 2000.
- (2) Sidewalks to be implemented to the minimum standards set forth under the proposed Neighborhood-Commercial designation. Sidewalk width shall be 10 feet located 5 feet off the back of the existing curb. The 5 feet between sidewalk and curb shall be used as a landscape strip.
- (3) A clearly marked, designated pedestrian pathway to provide direct access from the proposed building lobby to the sidewalk along Roswell Road. If the path crosses car traffic areas, it shall be raised. Brick inlay or a stamped pattern are preferred means of marking this path. Landscape enhancement along this pedestrian way is also recommended.
- (4) A designated pedestrian pathway from an exit/entrance of the building to the existing Shopping Center to the west and south. This path shall be separated from car traffic, by providing a sidewalk with a curb at a minimum. If the path crosses car traffic, it shall be raised and marked.
- (5) Developer shall install trees between the curb and sidewalk subject to approval by the Georgia Department of Transportation. This condition shall not be binding if the Georgia Department of Transportation objects to such installation.
- (6) Structure shall be a maximum of 9 stories, 126 units above grade plus one above grade level of parking and lobby area, and two below grade parking levels.



TO ACQUIRE FROM
CONTACT WITH THE SOL.
OF 1/2 SECTION
MADE WITH 1/2 SECTION
BEING 1/2 SECTION
1-3 SECTION OF 1/2
SECTION FROM 1/2 SECTION

[illegible]

1999

5:36PM

SPECIALIZED TITLE SERVICE, INC.

Z-99-51

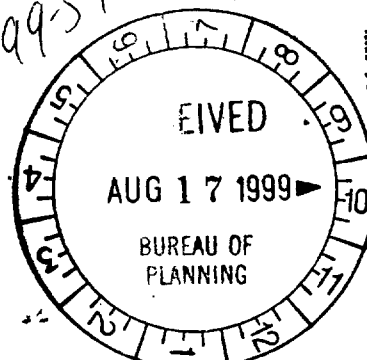


EXHIBIT A

All that tract or parcel of land lying and being in Land Lot 97 of the 17th District, City of Atlanta, Fulton County, Georgia and being more particularly described as follows:

To find the POINT OF BEGINNING, commence at the intersection of the northwesterly right-of-way of Roswell Road (right-of-way varies) and the southerly right-of-way of LeBrun Road (50 foot right-of-way); thence southwesterly along and coincident with the northwestern right-of-way line of Roswell Road 705.30 feet to an iron pin found, a #4 rebar; thence continue along and coincident with the northwestern right-of-way line of Roswell Road in a southwesterly direction along an arc of a curve to the southwest, having an arc distance of 95.27 feet, said arc having a radius of 366.79 feet and being subtended by a chord to the northwest having a bearing of 12 degrees, 59 minutes, 07 seconds West, a chord distance of 95.24 feet to an iron pin set, a #4 rebar which is the point of BEGINNING; thence continue along and coincident with the northwestern right-of-way line of Roswell Road in a southwesterly direction along an arc of a curve to the southwest having an arc distance of 205.74 feet, said arc having a radius of 366.79 feet and being subtended by a chord to the northwest having a bearing of South 21 degrees 54 minutes 18 seconds West, a chord distance of 205.35 feet to an iron pin found, a #4 rebar; thence departing from the northwesterly right-of-way line of Roswell Road North 83 degrees 35 minutes 45 seconds West 305.82 feet to an iron pin found, a #4 rebar; thence North 05 degrees 19 minutes 47 seconds West 67.99 feet to an iron pin found, a #4 rebar; thence North 21 degrees 05 minutes 55 seconds East 131.20 feet to an iron pin found, a #4 rebar; thence North 13 degrees 32 minutes 32 seconds East 114.90 feet to an iron pin set, a #4 rebar; thence South 81 degrees 03 minutes 05 seconds East 74.91 feet to an iron pin set, a #4 rebar; thence South 08 degrees 30 minutes 55 seconds West 95.00 feet to an iron pin set, a #4 rebar; thence South 81 degrees 03 minutes 05 seconds East 256.30 feet to an iron pin set on the northwestern right-of-way line of Roswell Road, said iron pin set being the POINT OF BEGINNING.

Said property containing 1.761 acres and being designated as Parcel II on an ALTA/ACSM Land Title Survey prepared for Atlanta Intercontinental, Inc., William Elwood Whitaker, Esq., AT&T Commercial Finance Corporation & First American Title Insurance Company, by Planners and Engineers Collaborative, bearing the seal and certification of Robert Lee White, Georgia Registered Land Surveyor No. 2080, dated March 6, 1995, last revised March 23, 1995.

Also easement rights created by reciprocal agreement between Atlanta Intercontinental, Inc. and D.W. Campbell Properties, Inc. dated March 30, 1995 to be recorded in Fulton County records.

TOGETHER WITH: Ingress/Egress Easement, Cross-Easement Agreement for Parking and Temporary Construction Easement Agreement by and between Atlanta Intercontinental, Inc. and D. W. Campbell Properties, Inc., dated March 30, 1995, filed for record March 31, 1995 at 9:29 a.m., recorded in Deed Book 19401, Page 269, aforesaid Records.

Pitts Presided

RCS# 1797
2/21/00
6:08 PM

Atlanta City Council

Regular Session

99-O-1575

REZONE PROPERTY LOCATED AT 3820 ROSWELL
RD. NE
ADOPT AS AMEND

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 6
EXCUSED: 0
ABSENT 0

Y McCarty	NV Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	NV Martin	Y Emmons
Y Bond	Y Morris	NV Maddox	NV Alexander
NV Winslow	Y Muller	Y Boazman	NV Pitts

99-O-1575

Pitts Presided

RCS# 1796
2/21/00
6:07 PM

Atlanta City Council

Regular Session

99-O-1575

REZONE PROPERTY LOCATED AT 3820 ROSWELL
RD. NE
AMEND/MULLER

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 5
EXCUSED: 0
ABSENT 0

Y McCarty	NV Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	NV Maddox	NV Alexander
NV Winslow	Y Muller	Y Boazman	NV Pitts

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